



City of Loma Linda Official Report

Floyd Petersen, Mayor
Karen Gaio, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: April 13, 2004

TO: City Council

VIA: Dennis R. Hallaway, City Manager

FROM: Pamela Byrnes-O'Camb, City Clerk

SUBJECT: Minutes of February 24 and March 9, 2004

RECOMMENDATION

It is recommended that the City Council approve the Minutes of February 24 and March 9, 2004.

**PENDING CITY
COUNCIL APPROVAL**

City of Loma Linda

City Council Minutes

Regular Meeting of February 24, 2004

A regular meeting of the City Council was called to order by Mayor Petersen at 7:03 p.m., Tuesday, February 24, 2004, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Floyd Petersen Mayor pro tempore Karen L. Hansberger Robert H. Christman Stan Brauer Robert Ziprick
Councilman Absent:	None
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

Councilman Christman led the invocation and Pledge of Allegiance. No items were added or deleted from the agenda.

CC-2004-021 – Oral Reports/Public Participation

Christopher Chebeleu, 25154 Daisy Street, addressed the City Council regarding reconstructing his home and the presence of his motor home on the premises until the house is rebuilt. He indicated that the motor home was being utilized as security for the premises during reconstruction. Code Enforcement had contacted him regarding use of the motor home. The item was referred to Staff for resolution and request was made to place the item on a future agenda.

Yolanda Hernandez spoke regarding the pedestrian crossing at Anderson Street and Starr Street. The item was referred to Staff for submittal to the Traffic Advisory Committee for recommendation.

Scheduled and Related Items

CC-2004-022 – Presentation to Keith Stout on the occasion of his retirement from the Department of Public Safety

Director of Public Safety Crawford introduced Mr. Stout, stating that he served the community from 1981 until early 2004, when, because of an injury, he received a medical retirement. Chief Crawford noted that Willdan Associates, the City's contract building inspection and code enforcement service, hired Mr. Stout, so he would be serving the City in a different capacity by receiving plans and assisting at the counter. He expressed high regard, respect, and appreciation for Mr. Stout's contributions to the Department and City.

Mayor Petersen then called Mr. Stout forward and presented him with a plaque and engraved lamp in recognition of his service to the Community and on behalf of the entire City Council, wished him well in the future. Mr. Stout acknowledged each Councilmember and spoke briefly, noting that since he started with the Department, many changes in City Council, buildings and people had taken place. He enjoyed his work and looked forward to continuing to serve the City in his new capacity.

CC-2004-023 – Public Hearing – Community Development Block Grant (CDBG) Project prioritization for Fiscal Year 2004-2005 Funding Cycle of \$166,000, including up to \$24,900 for approved public service projects

The public hearing was opened, and Director of Public Works Thaipr presented the report into evidence, stating that the 2004-2005 allocation consisted of \$166,000, of which 15 percent (\$24,900) could be allocated to public service projects. The City received 28 project proposals from the County of San Bernardino Department of Community Development that requested funding as public service projects. The Department of Housing and Urban Development also recommended that awards be given in increments of \$5,000. He noted that \$141,100 would be designated for street improvements on Ohio Street from Redlands Boulevard to the San Timoteo Channel.

Those speaking were: Leanne Driberg, Inland Temporary Homes; Stan Sewell, Loma Linda Branch Library; Robert Rockwell, YMCA Legal Aid of Redlands; Kim Lowenberg, San Bernardino Sexual Assault Services; Tray Green, Shoppin 4 Seniors; Joseph Rodriguez, GRIT Program; Diane McLaughlin, Family Service Association Redlands; Sheryll McMillan, Christian Counseling Service; Patricia Nichols, Community Action Partnership; Velda Griffin, Option House; George Lee, Travis Cleaning Service; Darrell Johnson, Sandlewood.

No other public testimony was offered and the public hearing was closed. Mayor Petersen thanked the presenters for their efforts and work in the community. Extensive discussion ensued.

Motion by Christman to allocate the funds as follows: Loma Linda Branch Library, \$700 from CDBG Funds and \$1,300 from the General Fund; Option House, \$1,000; GRIT, \$2,000; Elder Citizen Protection Services, Inc., \$2,000; Inland Temporary Homes, \$14,000; Family Service Association of Redlands, \$2,000; CCS, \$1,200; and San Bernardino Sexual Assault Services, Inc., \$2,000. Motion died for lack of a second.

Motion by Brauer to approve Staff recommendation as amended to allocate the funds as follows: Inland Temporary Homes, \$14,900; GRIT, \$5,000 and Elder Citizen Protection Services, \$5,000. Motion died for lack of a second.

Motion by Ziprick, seconded by Christman to allocate the public service funds as follows: Loma Linda Branch Library \$1,700 from CDBG and \$300 from the General Fund; GRIT, \$2,000; Elder Citizen Protection Services, Inc., \$2,000; Inland Temporary Homes, \$14,000; Family Service Association of Redlands, \$2,000; CCS, \$1,200; and San Bernardino Sexual Assault Services, Inc., \$2,000.

It was noted that CCS had not claimed the amount allocated in 2003-2004, and Sheryll McMillan of CCS was asked to notify the City by March 1 as to whether or not funding from other agencies was approved; otherwise, the \$1,200 allocated to CCS for 2004-2005 would be re-allocated to the Loma Linda Branch Library. Ms. McMillan concurred.

Motion by Ziprick, seconded by Hansberger and unanimously carried to amend the motion to include re-allocation of the \$1,200 to CCS to the Loma Linda Branch Library if confirmation of funding for CCS from other agencies was not received by March 1.

Mayor Petersen then called for a vote on the main motion as amended, which passed **unanimously**.

CC-2004-024 – Public Hearing – Council Bill #R-2004-04 - Determining costs related to the Fall 2003 Weed Abatement Program

The public hearing was opened and Director of Public Safety Crawford introduced Fire Prevention Officer Patterson, who presented his report into evidence, noting that a Mr. Collins was present earlier to protest the cost of \$140 associated with APN 0283-071-33, in that due to an incorrect address, he had not received notice; however, the property was abated. Mr. Patterson then recommended that the parcel be deleted from the list of properties submitted to the Assessor's Office for placement of lien due to nonpayment.

No other public testimony was offered and the public hearing was closed.

Motion by Christman, seconded by Brauer and unanimously carried to adopt Council Bill #R-2004-04 as amended to delete parcel number 0283-071-33 as recommended.

Resolution No. 2316

A Resolution of the City Council of the City of Loma Linda adopting a report and statement of expenses for the Fall 2003 Weed Abatement Program and imposing a lien upon property for payment therefor

CC-2004-025 – Public Hearing – Council Bill #R-2004-8 – Amending Resolution No. 2315 pertaining to Fee for Services S-006 relating to appeal processing to the Planning Commission and City Council

The public hearing was opened and Director of Finance DeAnda presented the report into evidence, stating that City Council requested the service fee be modified to reflect a cost of \$100 for an appeal relating to single-family residences. The modification was made and is an amendment to the resolution adopted February 10.

No other public testimony was offered and the public hearing was closed.

Motion by Hansberger, seconded by Christman and unanimously carried to adopt Council Bill #R-2004-8.

Resolution No. 2317

A Resolution of the City Council of the City of Loma Linda, amending Resolution 2315 relating to fees associated with the appeal process

CC-2004-026 – Consent Calendar

Motion by Ziprick, seconded by Brauer and unanimously carried to approve the following items:

The Demands Register dated February 24, 2004 with commercial demands totaling \$221,254.86 and payroll demands totaling \$169,563.49.

The Minutes of January 27 and February 10, 2004 as presented.

Award of contract for street improvements on Van Leuven Street to NPG Corporation in the amount of \$222,777 and a contingency allocation of \$22,000; a contract for construction inspection and material testing to Cal West Consultants in an amount not to exceed \$6,000; a transfer of \$37,000 from Account No. 89-1800-8840 to Account No. 89-1800-8500.

Council Bill #R-2004-5.

Resolution No. 2318

A Resolution of the City Council of the City of Loma Linda, California, authorizing the acceptance of federal and state funds from the California Department of Transportation

Requiring the use of an alternative fuel sweeper by the City's contract street sweeping service per South Coast Air Quality Management District Rule 1186.1, Less-Polluting Sweepers.

The January 2004 Department of Public Safety Report for filing.

Award of contract for the removal and replacement of concrete curb, gutter and sidewalk on Daisy Street between Poplar and Hillcrest to Avila Construction, Inc. in an amount not to exceed \$13,950.

CC-2004-027 – Council Bill #R-2004-7 – Supporting Propositions 57, the Economic Recovery Bond and 58, the Balanced Budget Act

Councilman Brauer commented that although he supported both propositions, he did not support taking a position as a City Council on propositions at either the state or federal level, even though the propositions may affect the City. Extensive discussion ensued.

Motion by Ziprick, seconded by Hansberger to adopt Council Bill #R-2004-7. Motion failed with Petersen, Brauer and Christman opposing.

CC-2004-028 – Council Bill #R-2004-9 – Opposing Proposition 56 which would eliminate the two-thirds legislative vote requirement to pass the state budget and tax increase measures

Similar discussion to that concerning Propositions 57 and 58 occurred. Although individual City Council Members opposed Proposition 56, the City Council did not wish to make it policy to take a position on either state or federal propositions.

Motion by Ziprick, seconded by Petersen to adopt Council Bill #R-2004-9. Motion failed with Petersen, Brauer and Christman opposing.

New Business

CC-2004-029 – Proposal from Deer Park, LLC to include the City's land as part of a master plan for the South Hills

Councilman Brauer declared a possible conflict of interest due to ownership of property within the subject area, and left the Council table.

City Manager Holloway stated that Glenn Elssmann of Deer Park, LLC approached the City concerning the possibility of including the City-owned land of approximately 900 acres in a master plan, which would encompass land owned by Deer Park, LLC that was east and adjoining the City's land.

Mr. Elssmann then addressed the City Council, stating that Deer Park, LLC was in the process of acquiring significant acreage in the South Hills, east of the City-owned property. He had assembled a team to develop a comprehensive master planned community, utilizing the goals and objectives the City previously articulated. He noted that the City owned significant acreage and had indicated that the most effective and

valued approach to master planning the area in the South Hills would be to develop a comprehensive plan to include as much property as possible to address infrastructure, amenities, homes and types of communities that could be contemplated for the area.

He then stated that his proposal was to include the City-owned acreage with Deer Park, LLC acreage for planning purposes and a date of September 1, 2004 for submittal of a broad-based plan. If at some point the City developed its land, his firm would be reimbursed the cost associated with the mapping process, but not the study process. He confirmed that the City land would be included for planning purposes only, and responded to questions.

City Attorney Holdaway stated that an agreement would be drafted for formal City Council action at a future meeting.

Motion by Christman, seconded by Hansberger and carried to include the City-owned land for planning purposes only as part of a master plan for the South Hills and to direct the City Attorney to draft the agreement for submittal and formal action.

Reports of Officers

Director of Public Safety Crawford stated that the first class of certified emergency team training (CERT) was completed, and graduation was scheduled for Thursday, February 26 between 1:00 and 3:00 p.m.

The meeting adjourned at 9:27 p.m.

Approved at the meeting of

City Clerk

City of Loma Linda

City Council Minutes

Regular Meeting of March 9, 2004

A regular meeting of the City Council was called to order by Mayor Petersen at 7:03 p.m., Tuesday, March 9, 2004, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:

Mayor Floyd Petersen
Mayor pro tempore Karen L. Hansberger
Stan Brauer
Robert Ziprick

Councilman Absent:

Robert Christman

Others Present:

City Manager Dennis Halloway
City Attorney Richard E. Holdaway

Councilman Brauer led the invocation and Pledge of Allegiance. No items were added or deleted from the agenda.

CC-2004-030 – Oral Reports/Public Participation

Mayor Petersen stated that many alumnae return to LLU at this time of year and in conjunction with the alumnae activities, are displays and other events. At one of the booths was Herbert Harder, a retired physician, who displayed various woodwork. One such piece was a beautiful gavel, which he gave to Mayor Petersen.

Mayor Petersen called the meeting to order with the new gavel.

R. H. Paxton, 26101 Mission Road, requested clarification of the area of the Southern California Edison Easement adjacent to his property, noting that when installing the underground electric facilities for the Ryland Homes Development adjacent to his property, workers entered his property.

Director of Public Works Thaipejr stated he would contact the Edison Company and clarify the situation. In response to questions from Mayor Petersen, Mr. Thaipejr also stated that an archeologist was required to be present during excavation due to the history of the area.

Herbert Samayoa, 26122 Mission Road, inquired as to the ultimate width of Mission Road because he was going to landscape and needed to know the boundaries. He was referred to the Public Works Department. Director of Community Development Woldruff noted that the street improvements associated with current development were not to affect existing properties. Installation of street improvements for the development was to occur and after development was concluded, the City would schedule improvements in the areas unaffected by the housing developments.

Scheduled and Related Items

CC-2004-031 – Presentation of Certificates in recognition of property beautification and neighborhood pride

Mayor Petersen noted that visitors and returning alumnae have commented on the looks of the City and the beautification efforts on Barton Road and other areas of the community. He then noted that residents as well have improved their properties. The Parks, Recreation and Beautification Committee asked that recognition be given to four property owners who have excelled in the area of beautification of their properties. He then called Wilson and Karen Wong, Gene and Karen White, Josephine Perez and Roland and Solange Joachim forward and presented each with a certificate acknowledging their beautification efforts and community pride.

New Business

CC-2004-032 – Agreement between Deer Park, LLC and the City relating to a master plan for the South Hills to include City-owned parcels

Councilman Brauer declared a possible conflict of interest due to ownership of land in the vicinity of land subject to the agreement, and left the Council table.

City Manager Halloway introduced the item, stating that the City Council agreed to the proposal in concept at the last meeting and directed the City Attorney to prepare an agreement. City Attorney Holdaway presented the Agreement, noting that a timeline and map would be attachments to the Agreement.

Mayor pro tempore Hansberger expressed concern that prior to completion of the master plan, the City may want to consider negotiations that would allow the preservation of open space, as an example, and she would not favor the subject agreement if it hampered the City's ability during the period of the agreement, September 2004, when the plan is to be completed.

City Attorney Holdaway stated that the Agreement could be approved subject to final review and clarification of the issues by the City Manager and himself.

Councilman Ziprick noted that there was strong emphasis on preserving trails in the South Hills and the various committees involved with that task should be included in discussions. Mayor pro tempore Hansberger stated that property owners needed to be included as well. Mr. Elssmann indicated that part of the process was to meet with the committees and property owners.

Motion by Ziprick, seconded by Hansberger and unanimously carried to approve the Agreement subject to final review and clarification of the issues by the City Manager and City Attorney, taking into account the comments of this evening.

Scheduled and Related Items (Continued)

CC-2004-033 – Public Hearing – Council Bill #O-2004-01 – Development Code Amendment 03-01 to add Chapter 17.82 to the Loma Linda Municipal Code relating to the establishment of an historical overlay zone district in the Mission Road area to preserve and enhance the area and associated historical and cultural resources and provide standards and guidelines for new development, adaptive reuse, restoration, rehabilitation, and demolition projects

The public hearing was opened and Community Development Director Woldruff presented the report into evidence, stating that the proposed ordinance was a collaborative effort of the Historical Commission, residents, developers, and the Dangermond Group which prepared the Draft Mission Overlay District Study Document, from which the ordinance was designed. The boundaries of the district were Redlands Boulevard on the north, Barton Road and San Timoteo Creek on the south, Loma Linda City Limit line on the east, and Mountain View Avenue on the west, with a node to capture the Van Leuven Mansion on the west side of Mountain View Avenue.

She went on to say that the ordinance attempted to meet the needs of everyone. The overlay district would require all new development and adaptive reuse projects located within the boundaries to comply with the development standards and guidelines. Existing residential and commercial properties would not be required to comply with the ordinance requirements until such time as new development or adaptive reuse occurred. Areas east of the City Limits would be included as future study areas and as those areas were annexed, they would be annexed into the overlay district as well. The environmental was in compliance with CEQA. She then recommended that the Negative Declaration be adopted and that the proposed ordinance be introduced on First Reading.

Those speaking were: Jim Shipp, Chairman of the Historical Commission, 11553 Cedar Way; Planning Commissioner Michael Christianson, 25241 Cottage Street; and Jonathan Ponder, 25797 Amapolas Street.

Summarizing comments:

- 1) In September 1989, the Historical Commission began to pursue the establishment of an historical district in an area that extended from the Van Leuven House in Loma Linda to the Barton House in Redlands.
- 2) Much effort went into studying and locating resources existing within the proposed district.
- 3) The Commission listened to property owners and developers, and the ordinance was drafted with the concerns of all in mind.
- 4) Historical resources were widespread, hence the overlay district.
- 5) The Dangermond Report became the backbone of the ordinance.
- 6) The ordinance would provide guidelines for a long period of time as the area developed.
- 7) Preservation of a city's history and roots were important.

No other public testimony was offered and the public hearing was closed. Discussion ensued.

Councilman Brauer noted that the ordinance could be enhanced to include other areas of the City that were also of historical significance and where development is occurring. Director of Community Development Woldruff noted that Chapter 17.80 of the Municipal Code relating to historical preservation was designed to encompass the entire city as it was formulated from the State Office of Historical Preservation Ordinance. The Historical Commission, as one of its goals, would determine the next area of focus.

Motion by Hansberger, seconded by Ziprick to introduce Council Bill #O-2004-01 on First Reading.

Mayor Petersen commented on the inclusion of the Peterson Tract, an unincorporated island within the City's Sphere of Influence. Director of Community Development Woldruff responded that a display ad was published in the local newspapers, numerous public workshops had been held, as well as several public meetings, and the residents of the Peterson Tract were aware of the proposed ordinance. The ordinance posed no threat to areas outside the City's boundaries; however, upon annexation, the area would also be annexed to the overlay district. The ordinance contained a statement that existing uses were exempt until such time as they were re-developed.

The City Attorney suggested that the area be deleted from the map at this time and at such time as it was annexed to the City, notice be given to the residents and the ordinance be amended to include the area.

Motion by Hansberger, seconded by Ziprick and unanimously carried to adopt the Negative Declaration.

Motion by Hansberger, seconded by Ziprick and unanimously carried to introduce Council Bill #O-2004-01 on First Reading as amended to delete the Peterson Tract and to set the Second Reading for April 13.

Councilman Brauer asked that citrus trees be planted at the park at the corner of Mountain View Avenue and Cottonwood Road prior to the time the park was named, and Mayor pro tempore Hansberger commented that effort needed to be made to educate residents and visitors of the historical significance of the park as well as other areas of the City.

CC-2004-034 – Consent Calendar

Motion by Hansberger, seconded by Brauer and unanimously carried to approve the following items:

The Demands Register dated March 9, 2004 with commercial demands totaling \$864,488.78.

The Demands Register dated February 29, 2004 with commercial demands totaling \$11,619.49 and payroll demands totaling \$156,777.97.

The February 2004 Treasurer's Report for filing.

The February 2004 Department of Public Safety Report for filing.

Award of contract for the Waterline Replacement from the One Million Gallon Reservoir to Anderson Way to El-Co Contractors for \$13,510.

An increase in revenue to the Street Maintenance of Effort Account in the amount of \$15,500.

Council Bill #R-2004-10

Resolution No. 2319

A Resolution of the City Council of the City of Loma Linda, certifying industrial disability and eligibility for retirement pursuant to Government Code Sections 21154 and 21156

New Business (Continued)

CC-2004-035 – Request for approval and adoption of the Draft Street Naming Program and Street Name List

Senior Planner Lamson presented the item, stating that the Historical Commission reviewed the list and incorporated the City Council's concerns about street names. She noted that there was consideration given to historical areas of the City and names appropriate for each area. University names would apply to areas near Loma Linda University.

Councilman Brauer expressed concern about including names of individuals that had no local ties. Mayor pro tempore Hansberger suggested that names affiliated with individuals at LLU and LLUMC not be

implemented until such time as they vacated their current position. Discussion ensued. It was noted that the list was routed to LLU and LLUMC and suggested names were added to the list.

Historical Commission Chairman Shipp noted that the current Commission inherited the 1991 street name list, and did not feel it was within their scope of work to delete names that had been previously approved.

Motion by Brauer, seconded by Ziprick and unanimously carried to approve the Draft Street Naming Program and Street Name List as amended to delete names having no local geographical origin to the City or were difficult to spell or pronounce; to add Native American names; and delay the use of names affiliated with LLU or LLUMC until the individual left their current position with LLU or LLUMC.

Reports of Officers

City Manager Halloway noted that Empire Homes requested a study session with the City Council and Planning Commission relating to a proposed project in the South Hills. He asked that suggested dates be submitted to his office.

CC-2004-036 – Report pertaining to Code Enforcement action regarding use of motor home at 25154 Daisy Street

Director of Community Development Woldruff stated that at the last meeting, the item was referred to Staff.

[Mayor pro tempore Hansberger left at 8:25 p.m.]

She noted that Mr. Chebeleu was reconstructing his residence and repairing fire damage. Staff reviewed the progress and determined that construction should be completed within 60-90 days, the motor home could remain on site for a maximum of 90 days, and that if the motor home remained in use for security purposes beyond the 90-day period, then the City would abate the illegal residential use. She also noted that the motor home was to be owner occupied during reconstruction of the residence.

No action was required.

[Mayor pro tempore Hansberger returned at 8:28 p.m.]

* * * * *

Mayor Petersen noted that the electorate elected three Council Members to serve them for the next four years. Acceptance of the final count of votes was to occur at a meeting other than the meeting that reorganization was to take place. Therefore, a meeting would be held at 6:00 p.m., Tuesday, April 13 for the purpose of accepting the March 2, 2004 election results.

The meeting adjourned at 8:37 p.m.

Approved at the meeting of

City Clerk